

Ford Greene  
HUB LAW OFFICES  
Tel: 415-258-0360  
Fax: 415-456-5318

**FACSIMILE COVER PAGE**

To: First District , Court Div. 4	From: Ford Greene
Fax #: 8657374	Fax #: 415-456-5318
Company:	Tel #: 415-258-0360
Subject: A107100	
Sent: 8/3/2004 at 4:56:50 PM	Pages: 3 (including cover)

**MESSAGE:**

Case Screening Form

## COURT OF APPEAL, FIRST APPELLATE DISTRICT CASE SCREENING FORM

*This form should be submitted to the clerk of the Court of Appeal for transmittal to the mediation program administrator. The form will not be entered in the court file. Attach pertinent documents, e.g., any judgment, findings of fact, statement of decision, or order appealed from. Attach additional pages if necessary.*

Case Name: Church of Scientology v. Armstrong Case No: A107095/A107100

Your Name: Ford Greene State Bar No.: 107601  
Counsel for: Real Party Gerald Armstrong

Subject Matter (Check all that apply):

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Attorney's Fees              | <input type="checkbox"/> Family Law            | <input type="checkbox"/> Personal Injury         |
| <input checked="" type="checkbox"/> Business/Contract | <input type="checkbox"/> Insurance             | <input type="checkbox"/> Probate                 |
| <input type="checkbox"/> Construction                 | <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Professional Negligence |
| <input type="checkbox"/> Employment                   | <input type="checkbox"/> Medical Malpractice   | <input type="checkbox"/> Real Estate             |
| <input type="checkbox"/> Other (specify): _____       |  |  |

Number of Parties: 2 Date Notice of Appeal Filed: 7-15-04

Appellant: Church of Scientology Counsel: Andrew H. Wilson  
Firm: Wilson Campitondo  
Address: 475 Gate Five Rd, Sausalito, CA 94965  
Tel: 415 289 7100 FAX: 415 289 7110 E-mail: \_\_\_\_\_

Real Party Respondent: Gerald Armstrong Counsel: Ford Greene  
Firm: Hub Law Offices  
Address: 711 San Francisco Drive, San Anselmo, CA 94960  
Tel: 415 258 0360 FAX: 415 456 5318 E-mail: fordgreene@comcast.net

Cross-Appellant: \_\_\_\_\_ Counsel: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Other Parties: See Attachment.

Trial Court: Marin Case No.: CV021632  
Trial Judge: Lynn Dwyer

The trial court judgment resulted from:

- ☐ Jury Trial ☒ Court Trial ☐ Summary Judgment ☐ Demurrer  
☐ Dismissal ☐ Nonsuit ☐ Arbitration Award ☐ Administrative Mandamus  
☒ Order (specify): Directed Verdict  
☐ Other (specify): \_\_\_\_\_



What was the judgment?: \$500,000

What was the last settlement demand? \$ None Offer \$ \_\_\_\_\_

Identify all ADR processes in this case in which you have participated (e.g., mediation, arbitration, or settlement conferences). State the name of all judges, mediators, or other neutral parties involved: None

Briefly state the facts of this case:

One-way contract provision employed to suppress criticism of former member

List the appellate issues that you anticipate:

Whether liquidated damages provision was employed as penalty so as to justify court's decision

☒ This is a case of first impression.

(Specify): perhaps inasmuch as liquidated damages used in

☒ This case principally involves the validity or interpretation of a statute, ordinance, or regulation.

(Specify): CC 1671

to punish free speech.

Related case or cases:

Name: \_\_\_\_\_ Court: \_\_\_\_\_ No. \_\_\_\_\_

What is the outcome that you seek in this case?

☐ Damages (specify): \$ \_\_\_\_\_

☐ Equitable Relief: (specify): \_\_\_\_\_

☒ Other (specify): Attain Trial Court

Describe any ongoing personal, professional, or business relationship between any of the parties to this appeal: None

Identify all persons, other than the parties, whose agreement is necessary for the settlement of this appeal and any related litigation or dispute (e.g., an insurance adjuster, spouse, or lien holder): None other than parties/counsel

What else should be considered in determining whether this case should be submitted to mediation?